IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1191 OF 2005

Mohd.Dawood Chohan ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr.V.T.Tulpule with Mr.Asif Iqbal I.Patel

for Applicant.

Mr.R.Y.Mirza, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 23, 2005.

P.C.

1. Heard Counsel for the parties.

2. Accepting the prosecution case as it is, it is seen that the Applicant got prepared another passport in different name, so as to get entry in Dubai for work. The fact remains that the passport in possession of the Applicant has already been seized. The Applicant is in custody since 11th

January 2005. Investigation is substantially complete.

2. Taking overall view of the matter and having regard to the nature of offence, Applicant deserves to be granted bail, but on strict conditions as follows, since Applicant is not permanent resident of Mumbai:

(a) The Applicant is released on bail in connection with C.R.No. 17 of 2005 registered with Sahar Airport Police Station on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two local sureties in the like amount. The condition of two local sureties will have to be complied with by the Applicant in the present case.

(b) The Applicant shall not leave District of Mumbai till the pendency of the trial, without prior intimation to the Investigating Officer and the Trial Court.

(c) The Applicant shall regularly report to

the concerned Police Station twice a week till the filing of the charge-sheet or as and when required for the purposes of investigation and thereafter, once a month on first Saturday of every English Calender month between 10.00 a.m. and 2.00 p.m. during the pendency of the trial.

(d) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(e) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

3. Application disposed of on the above terms.

A.M.KHANWILKAR, J.